

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL A. D'ANTONIO,

Plaintiff,

vs.

PASSAIC RIVER COALITION;  
BOROUGH OF ALLENDALE; STILES  
THOMAS; JOHN ALBOHM; DAVID  
BOLE; DAVID PFUND; MARY  
MCDONNELL; RICHARD EPSTEIN;  
THOMAS MONAHAN; MARK CARTER;  
LOUIS CAPAZZI; AND BERGEN  
COUNTY SHERIFFS DEPT.

Defendants.

Docket No.: 2:16-cv-00816-CCC-JBC

Civil Action

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that the undersigned attorneys for Defendant, Bergen County Sheriff's Department, will move this Court before Honorable Claire C. Cecchi, U.S.D.J. at the United States District Courthouse for the District of New Jersey, M.L. King Jr. Federal Bldg. & US Courthouse, 50 Walnut Street, Newark, New Jersey 07102, for an Order dismissing Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief may be granted and for such other and further relief as the Court may deem proper in the circumstances. Oral argument is requested if this motion is opposed and if approved by the Court.

PLEASE TAKE FURTHER NOTICE THAT the return date is calculated to be: on May 15, 2017, at 10:00 a.m. or any date thereafter as set by the Court; the date the Opposition, if any, is calculated to be: on or before May 1, 2017; the Date the Reply, if any, is calculated to be: on or before May 8, 2017 and the date the Courtesy Copies will be sent via regular U.S. Mail to the Judge is calculated to be: on or before April 12,

2017.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the brief, Certification of Counsel, and Certificate of Service attached hereto in support of said application. A proposed form of Order is annexed hereto. Oral argument is requested if the Court deems it appropriate.

**THE LAW OFFICES OF  
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By: /s/ Leonard E. Seaman  
Leonard E. Seaman

DATED: April 24, 2017